UNITED NATIONS

CEDAW

Convention on the Elimination of All Forms of Discrimination against Women

Distr.
GENERAL

CEDAW/C/ROM/4-5
15 March 1999
ENGLISH
ORIGINAL: FRENCH

Committee on the Elimination of
Discrimination against Women

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Combined fourth and fifth reports of States parties

Romania*

* For initial report submitted by the Government of Romania, see CEDAW/C/5/Add.45. For the second and third periodic reports submitted by the Government of Romania, see CEDAW/C/ROM/2-3. For their consideration by the Committee, see Official Records of the General Assembly, Forty-eighth Session, Supplement No. 38 (A/48/38).

00-22534 (E) 130100 190100

/...

COMBINED FOURTH AND FIFTH PERIODIC REPORTS OF ROMANIA UNDER ARTICLE 18 OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

INTRODUCTION

1. The second and third periodic reports of Romania under article 18 of the Convention on the Elimination of all Forms of Discrimination against Women (referred to below as "the Convention"), were submitted as a single document in November 1992. They covered what had taken place from 1987 up to that point, as it related to the applicability of the Convention.

The present report is intended to present the developments which have occurred since November 1992 concerning the application of the provisions of the Convention, up to the present time.

2. The delay which has occurred in the submission of the present document, relative to the timetable drawn up by the Office of the United Nations High Commissioner for Human Rights, is due primarily to the activity of legislative and institutional building which has gone on continuously in Romania in the area of human rights in general and the rights of women in particular. This made it appear more appropriate to take a longer period of time as the reference period, making it possible to highlight more effectively the major trends in the area.

3. The present report has been drawn up in accordance with the general guidelines on the form and content of the periodic reports submitted by States Parties under article 18 of the Convention, laid down by the Committee on the Elimination of Discrimination against Women, and in line also with the recommendations adopted by the Committee on various occasions.

Particular attention was paid to the comments made by the Committee at the time of the submission of the single document containing Romania's second and third periodic reports (see documents CEDAW/C/ROM/2-3 and CEDAW/C/1993/L.1/Add.1, 25 January 1993).

Additionally, the present report should be viewed in the light of Romania's core document, submitted to the Human Rights Committee in 1992, as modified by the supplement to the core document submitted to the same Committee in April 1996. Other changes, made in particular at the level of the legislation concerning judicial organization and the right to property, are appended to the present report.

PART ONE

GENERAL

4. The actions of the Government of Romania in the area of human rights are based firmly on the principle of respect for human rights enshrined in the Universal Declaration of Human Rights, in the two relevant Covenants of the United Nations, in a large number of United Nations conventions on specific areas of human rights, and in the series of conventions drawn up by the Council of Europe, in particular the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which Romania is a Contracting Party.

Romania has the firm intention of harmonizing its national legislation with the international human rights instruments, the particular objective being to bring Romania into line with European standards and to match its domestic laws and regulations to the requirements of regional and international cooperation, including in the area of women's rights.

Enshrined both in the Constitution of Romania and in its legislation, as well as at the level of the international legal instruments integrated into Romania's domestic law by virtue of article 20 of its Constitution, human rights and fundamental freedoms are the very cornerstone of the process of democratization currently in hand.

5. At the present time, current thinking is increasingly directed towards the concept of "the status of women in the community", which additionally requires serious thought as to the impact of the various European or international rules on the preparation of national policies in this area.

Recent analyses and studies on this question reveal the specific social and demographic characteristics of women in the society of Romania. Some figures are telling:

- The indicator on the general increase in the population of the country is -2/1000 inhabitants in the initial months of the current year, as compared to -2.4/1000 inhabitants in 1997;
- Women represent 50.6 per cent of the population of Romania, with their number exceeding that of men starting in the age-groups over 45;
- Fertility in women aged between 15 and 49 (amounting to a little more than 56 per cent) is showing a significant reduction relative to the 1970s and 1980s.

In line with the concept mentioned above, and in embodiment of the specific social and demographic characteristics of women, the relevant rights and obligations find expression in the form of policies and programmes undertaken by the State, in cooperation with the structures of civil society.

Giving rise to consideration of the factors of political decision, on the part of legal experts, economists, sociologists and even historians, the idea of the "status of women" frequently underlies the efforts of the decision-makers

which seek to ensure the rightful place for women in Romanian society and to combat unfavourable perceptions with regard to them.

6. The legal provisions referred to in the earlier periodic reports, however equitable and clear, are not sufficient on their own to ensure that the constitutional principle of equality between men and women is actually applied in practice. This factor leads to a concern to add economic and social guarantees to the legal rules, and to prepare decisive political action in this area.

A guarantee of this kind would consist in ensuring that the principle of equal opportunities for men and women is actually respected in practice, allowing women to play the part of decision-makers in public questions. This implies, as a starting point, a change in traditional attitudes, which are very often discriminatory.

The studies of the status of women attest to new values, attitudes and forms of behaviour, which have the objective of eliminating one or another negative or discriminatory aspect which may appear during the process of transition to a market economy and a democratic society.

In order to prevent the difficulties inherent in this transitional period from becoming dangerously dominant, with negative consequences for women, one of the well-founded objectives within the framework of the social policies in this area entails guaranteeing non-discriminatory access of women to the labour market and improving women's working conditions.

At the present time, the programme of the Government for the period 1997-2000 affirms the principle of justice and social cohesion as the basis for governmental action.

A fundamental document providing guidance for the policies whose objective is to bring about genuine equality between the sexes and a reduction in the gap which exists to a greater or lesser extent between legal theory and actual practice, in the application of the principle of non-discrimination against women, is the Platform for Action adopted in 1995 in Beijing at the Fourth World Conference on Women.

Implementation of the Platform for Action has entailed the performance of an overall analysis and the preparation of a rich programme of action, which has made it possible to promote cooperation between governmental and non-governmental structures concerned with advancing the rights of women.

Within that context, the sub-regional conference of senior government experts from Central and Western Europe on the implementation of the Beijing Platform for Action, which was held in Bucharest from 12 to 14 September 1996, stressed the importance of mechanisms of action undertaken to advance women in society, which would represent a genuine guarantee of equality between all citizens, in accordance with article 2 of the Constitution of Romania.

In line with the principle of social cohesion contained in the Government programme described above, and on the basis of the Beijing Platform for Action,

under which every signatory State undertakes to implement national mechanisms to strengthen the protection of the rights of women, the approach at the present time is to implement "horizontal" policies, in other words policies covering all sectors of society in which discriminatory practices have been detected.

With a view to strengthening institutional capacity and national mechanisms for advancing the rights of women, a series of legislative measures have been taken, in accordance with article 203 (b) of the Beijing Platform for Action.

Structures with responsibility for the advancement of and respect for the rights of women were established in Romania in October 1995. Under the Ministry of Labour and Social Welfare, a department for the promotion of the rights of women and for coordination of policies on the family was created. This department is under a secretary of state who is a woman, and its responsibilities include:

- Undertaking studies and analyses on the status of women in present-day Romanian society, to a broader degree of applicability and effectiveness within the framework of policies on the family;
- Preparing measures to improve the status of women through legislation;
- Guaranteeing non-discriminatory access for women to the labour market, and so on.

7. Following the change in the political leadership which occurred in November 1996, new policies in this area were designed, creating opportunities to reorganize and render more dynamic the practical strategies for promoting the rights of women.

The Government is determined to strengthen solidarity and social cohesion, by instituting a more effective and more flexible coordination between the various social policies (covering women, children and families).

Firstly, action by the Government has been directed towards implementing programmes for the elimination of poverty, which particularly impacts the least advantaged families, and more specifically the women in those families who have children.

Secondly, it has been concentrated on measures to accelerate economic growth, designed as a way to improve the prospects for an enhancement of the standard of living of the categories of society which are the most vulnerable (single women, poor families, families from rural areas).

These changes are intended to lead both to results which meet society's needs and to an increased sense of involvement by civil society, in its capacity as a social actor, in the decision-making process.

Consequently, strategies and programmes have been prepared and undertaken by the non-governmental actors themselves, directed in the main towards the protection of the rights of the child and of women.

The series of legislative measures prepared in the social area offers a fairly complete picture of the interest of the Government in the social aspect

of reform. Mention may be made of: the legislative measures concerning social welfare, health insurance, and the reform of the medical system; the legal rules concerning retirement pensions, and State or private welfare insurance schemes; and the special measures concerning the welfare of those persons whose individual labour contracts have been terminated following the mass dismissals which resulted from the application of the programmes of economic restructuring and privatization.

At the present time, government policy has also taken a new course, with the objective of bringing about the harmonization of the existing legislative framework and matching the national programme of social welfare with the regulatory provisions on social welfare and the labour market which appear in the European Social Charter (both its original and its revised form). These instruments of the Council of Europe have already signed by Romania, and are expected to be ratified in the near future.

8. During the current transition period, and against the background of the radical economic changes which have been introduced in order to overcome the structural crisis of the foregoing economic system and to speed up the transfer from a centralized economy to a market economy, Romanian society will, nevertheless, have to face up to new challenges.

In order to align itself more closely with the other democratic countries of the world, up to and including becoming a member of the European Union, Romania has legislated a number of economic measures. Unfortunately, these have brought with them a number of negative social effects.

Among them, unemployment is one of the major factors attesting to the deterioration in social relations being brought about by economic causes.

There is evidence of an unequal distribution of the female labour force across the various sectors of the economy, and at the same time, working women are more exposed to termination of their labour contracts.

In consequence, many women are accepting temporary employment, not entitling them to the benefits offered by the welfare services, and at a lower rate of pay, often falling short of their level of qualification.

Additionally, life below the poverty level and the growing costs of the household are leading to changes in social behaviour.

9. One social phenomenon which has always existed to some degree is that of domestic violence. Statistical data are instructive of the rise in this phenomenon, drawing attention to the need to draw up educational programmes fostering non-violent behaviour and preventing conflict situations and manifestations of aggressive behaviour within the family.

As a side-effect of this phenomenon, there is also evidence of an increase in the number of women suffering a greater degree of marginalization in society: older women, single women and women living in the country.

In the light of the increase in the number of acts of violence against women, it is intended to prepare an instructional programme for women, to be made available to them starting at a very early age, dealing with the violent behaviour which they have suffered or which may threaten them in the future. The aim of this programme is to increase women's ability to protect themselves.

10. The reform currently in progress has the objective of achieving, by way of consistent policies, the democratic development of Romania.

The constitutional legal framework which is currently in existence has made it possible to undertake institutional reform.

The legislature, with the aim of preserving the character of the basic law and the conformity of the laws with the provisions of the Constitution, has created an appropriate framework with which to eliminate any non-constitutionality in ordinary laws.

Within this mechanism, the Constitutional Court plays a role, including that of blocking any sex-based discrimination.

To the same end, a further institution which has recently been created (July 1997), namely the People's Advocate, has the responsibility of taking actions necessary to guarantee respect for the rights and freedoms of the citizens relative to the public authorities. The creation of the institution of the People's Advocate had been explicitly provided for in articles 55 to 57 of the Constitution.

The responsibilities and the operating principles of this institution bring into being at the national level the function of the "Ombudsman", which has existed for a long time in the Western sphere of human rights.

If complaints are brought before this institution alleging violation of the rights and freedoms of the citizens by the public authorities, it has the right to demand that the authorities in question cease the illegal action, re-establish the rights which have been infringed and pay damages.

11. With the goal of advancing the specific interests of women at the national level, Government action has also been directed towards implementation of programmes jointly with the Council of Europe.

Additionally, close cooperation with UNDP, the World Bank, the European Union's Poland and Hungary Aid for the Reconstruction of the Economy (PHARE) programme and with the British Council has taken the particular form of programmes of specific assistance to women, with the objective of increasing their involvement in the economic and social life of the community.

At the Parliamentary level, a Parliamentary Sub-Committee on equality of opportunity between men and women has been created.

12. Nevertheless, there is still much to be done in order to guarantee in practice full personal development of women and an observance of the principle

of equality between the sexes, appropriate to a healthy social and economic environment.

This needs to give rise to genuine joint action between Government structures and non-governmental organizations to promote and defend all human rights and all fundamental freedoms: civil, political, economic, social and cultural. The role of women in society will be genuinely recognized only if this type of joint action is undertaken.

To this end, the mobilization of the community on a voluntary basis in the form of associative movements represents an important factor in support of actions undertaken for advancement of the rights of women.

In consequence, strategies have been designed to consolidate the role of the non-governmental organizations in the implementation of the programmes and policies intended to advance the rights of women, given their catalytic function in changing cultural patterns with regard to women, patterns which still exist, particularly in rural areas, and most especially with respect to the responsibilities relating to the home and the role of women in society.

PART TWO

Article 2

13. The legal framework in Romania which guarantees equality of men and women has already been discussed in the earlier reports. However, some additional comments would appear to be useful.

Every law arising out of the Constitution and out of the international treaties which have been incorporated into Romanian domestic law, on the basis of the Constitution, fits into the strategy for changing the general institutional system of the country.

Under article 4, paragraph 2, of the Constitution: "Romania is the common and indivisible homeland of all its citizens, without any discrimination on account of race, nationality, ethnic origin, language, religion, sex, opinion, political adherence, property or social origin."

The article 4 referred to above is amplified by article 16 of the Constitution, which pronounces as follows on the principle of equality of rights:

"Citizens are equal before the law and public authorities, without any privilege or discrimination.

No one is above the law.

Access to a public office or dignity, civil or military, is granted to persons whose citizenship is only and exclusively Romanian, and whose domicile is in Romania."

The Constitution also enshrines the principle of free access to justice. Based on the constitutional provision (article 21), which provides that: "Every person is entitled to bring cases before the courts for the defence of his legitimate rights, liberties and interests. The exercise of this right may not be restricted by any law", the right to go to law is empowered by the legal rules of the Codes of Civil and Criminal Procedure.

14. Similarly, the law on judicial organization (Law No. 92/1992) reaffirms the principle of free access to justice, as follows: "The judicial authorities render justice so as to protect the rights and fundamental freedoms as well as other legitimate rights and interests derived from the system of justice."

Each of these juridical rules offers effective guarantees against any infringement of the rights of women, whether in the public or the private sphere.

Similarly, it is stated clearly by article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which has been incorporated into Romania's domestic law, that the right of any person (woman or man) to a fair trial entails the following: "In the determination of his civil

rights or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law."

Of course, if any case is brought before a court alleging any form of discrimination, including sex-based discrimination, that court shall pronounce on the matter, and shall have full jurisdiction.

Justice is rendered in the name of the law. The judges are independent and are subject only to the law (article 123 of the Constitution).

With regard to the right to elect and to be elected, the principle of equality between the sexes emerges from the content of articles 34 and 35 of the Constitution:

Article 34:

"(1) Every citizen having attained the age of eighteen by or on the election day shall have the right to vote.

(2) The mentally ill or the insane who have been committed to an institution, and persons condemned by judicial order to definitive loss of voting rights, shall not be entitled to vote."

Article 35:

"Eligibility is granted to all citizens having the right to vote, who meet the requirements in Article 16, paragraph (3), unless they are forbidden to join a political party (...)."

15. Furthermore, even if the principle of "equality between men and women" is to be found in every section of the law, explicitly or implicitly, there is a difference in perception still between legal theory and actual practice. This relates in particular to the retention of the "traditional" role of the woman in the raising and care of children; to violence, and marital violence, against women; and to women's access to decision-making positions in political and economic life, in particular to high-level positions. But it is up to the women themselves to become more actively involved in the public debate on equality of opportunity.

To this end, a draft law on equality of opportunity, adopted by the Government in May 1998, gathers together the fundamental principles in this area, based on a detailed study of Western practices. This draft law seeks to find ways in which to translate the principle of equality between men and women into practice.

While, on a formal basis, the content of the draft law is directed towards the activity of the public administration and the two sides of industry, it also creates moral obligations in all structures of the public and private sphere.

Article 3

16. The considerations above lead to the conclusion that the legislative framework of Romania does create the conditions under which the rights of women in all sectors - political, social, economic and cultural - can be affirmed. Although, legally speaking, discrimination against women is prohibited, in fact it must be said that under certain circumstances the phenomenon still exists. It is only with broad participation by the social actors, the structures of Government and the non-governmental organizations, that the proper respect for the rights of women will be ensured.

But full and genuine participation in the life of the community requires the inclusion of other social actors, besides the non-governmental organizations, namely the trade unions and the employers' organizations, as representatives of the interests of the various partners in the tripartite mechanism which is characteristic of the market economy.

At the present time a number of welfare initiatives are being taken by non-governmental organizations, by economic actors, by trade unions, by the Church or by individuals.

Under Law No. 34 of 23 January 1998 on the granting of subsidies to associations and foundations with legal personality implementing and managing welfare structures and developing social programmes, the Romanian authorities have demonstrated the wish of the legislature to give support to the persons being assisted, in partnership with the non-governmental organizations.

This type of institution may receive subsidies from the budget of the State or from local budgets, as appropriate, which may be used for welfare services to assist persons in difficulties.

The PHARE-SESAM programme of the Ministry of Labour and Social Welfare provides financing for 48 programmes in 26 provinces of the country.

17. It should be noted here that the elimination of the phenomenon of discrimination against women appears difficult, or even impossible, unless account is taken of the consequences of this period of transition to a market economy, as they affect women. There are always particular factors which may jeopardize the rights of women and which are not always resolved in the interests or women.

Programmes undertaken by the non-governmental organizations which support the tertiary sector, concentrating on the less well-developed regions, have the objective of improving the health of children in unfavourable situations, of providing assistance to women who have suffered violence, of developing the role of civil society so that it will become more involved in the problems of the community, partially relieving the State from the task of assisting the less fortunate (in Romania, the social welfare of the population is provided in most cases by the State), and of reinforcing social solidarity and tolerance.

At the present time the local public administration has a strong partnership relationship with the non-governmental organizations, with a view to

ensuring the improvement and development of the social services system at the national level. For example, there are programmes for disadvantaged children, for older persons, for low-income families with several children, for people having psychomotor or physical difficulties, as well as for the unemployed.

In the future, the dialogue and cooperation between the structures of Government and the non-governmental organizations will be strengthened so that traditional attitudes will change and civic responsibility will increase.

Article 4

18. In relation with the information in the paragraphs having to do with the preceding periodic reports, one legislative change which is of quite recent date should be mentioned.

Under the terms of the recent Law No. 120/1997 dealing with paid leave to take care of children, up to the age of two, each of the parents is entitled, at his or her option, to take a break from working life in order to involve himself or herself fully in bringing up the child.

In this way, fathers are encouraged to share the family responsibilities with regard to the child. They have the same right to obtain family benefits for the children as do the mothers.

In accordance with the same law, women who fall under the system of state social allowances or the system of allowances for agricultural workers, as well as women in active military service, have a right to paid leave to take care of children, in addition to the 112 days of paid maternity and post-natal leave already provided for.

The paid leave to take care of a child is provided as an option, after the maternity and post-natal leave, until the child reaches the age of two.

Payment is at a level equivalent to 80 per cent of average income for female agricultural workers, and 85 per cent of the monthly base wage or salary for other beneficiaries.

This law also applies to women within the system of family allowances who have adopted one or more children, and to those who have been appointed guardians or to whom children have been entrusted, either so that they may be brought up by them or in foster care.

The particular innovation of this law is that its provisions may be provided, at their option, to each of the parents.

At the same time, this policy offers women an opportunity to combine their profession and their family, giving them equal standing with men with regard to family responsibilities and participation in social life.

Similarly, the various consequences which arise for women who leave working life because of the extended leave or because they become unemployed, in other words the problems of the return to working life, will thereby be reduced.

Article 5

19. The second part (paragraph 9) of the Final Document of the World Conference on Human Rights of June 1993 notes that it is essential that violence against women be eliminated, as behaviour which is incompatible with human dignity. This same imperative was covered in a Resolution of the United Nations Commission on Crime Prevention and Criminal Justice, adopted in Vienna (26 April-6 May 1994).

Despite the determination of the international community to eradicate this scourge, the phenomenon of violence against women is symptomatic of the persistence in actual practice of discrimination against women, both by the scale of the problem and by its geographical and social distribution.

The Romanian authorities share the opinion that domestic violence represents a flagrant violation of the right to life and to physical and mental integrity, rights enshrined in article 3 of the Universal Declaration of Human Rights, in articles 5 and 6 of the International Covenant on Civil and Political Rights, and in articles 2 and 7 of the European Convention on Human Rights. Violence within the family is also counter to articles 11 and 22 of the Constitution of Romania.

As the two earlier reports show, the phenomenon of violence against women remains a major problem in Romanian society.

At the present time, Romania has a national plan for research into and evaluation of the phenomenon.

Although by now a large part of the legal and regulatory framework necessary to battle this phenomenon has been put in place by Romania (namely, the Penal Code, which punishes any such offence), acts of violence against women continue to be observed.

The statistical data providing evidence of this phenomenon are not conclusive, since the greater proportion of the victims prefer to remain silent, with fear largely underlying their reluctance to go to court in cases concerning violence within the family.

As several studies of the subject have shown, the hidden number of acts of violence against women is much higher than that given by the statistics. One of the causes lies in the economic reasons for the reluctance of victims of acts of violence (sexual assault, domestic violence with a sexual component, sexual harassment, etc.) to go to court.

Classified as major offences (along with incest, assault resulting in death, or homicide), most cases of violence against women occur in a context including consumption of alcohol. A further cause for domestic violence is often based on the loss of the means of subsistence. This economic shortfall leads to a serious breakdown in family bonds.

Two features are particularly noteworthy:

- Domestic violence occurring as a result of the breakdown in family bonds, based on economic reasons, a phenomenon which more seriously affects the less well-off sectors;
- The situation of the child suffering domestic violence;

From a general point of view, it may be considered that there is a link between the breakdown of family bonds and the economic situation. There are a number of variables which can explain this situation.

The less well-off families are very often those most affected by this phenomenon. With less education and less information on the legal procedures to be followed, as well as on the social services, which only came into being a short while ago, the sector comprising the poor families increases the hidden scale of domestic violence, in particular against women and girls.

The precarious economic situation of a fairly large number of families, combined with domestic violence, quite obviously has an impact on children.

The statistical data show that sexual assault is directed both at young girls and at older women.

In this context, a study by the Criminal Police Directorate of the Inspectorate-General of Police discovered an increased risk of sexual abuse or assault against girls between 15 and 18 years old, brought up in the urban environment of the South and South-East of the country (this category suffering rape and incest in particular). In parallel, for similar age groups, the study detected a high risk of prostitution and procuring, in particular with regard to girls living in the South and South-West regions of the country who have not yet found employment.

The social dimension of these problems needs to be stated clearly.

The psychological consequences of sexual assault remain deeply incised throughout the life of the victims, with attempts at suicide being frequent.

But even if the phenomenon of domestic violence is less clearly detected from a statistical point of view, it constitutes the primary cause for more than 70 per cent of cases of divorce.

Although the research undertaken gives rise to a concern to create programmes within which the question of violence can be tackled, specific legal measures have yet to be put forward to achieve the incarceration of perpetrators of acts of violence and an enhancement of the mechanisms for counselling and assisting the victims.

20. Research has begun to look into the question of sexual harassment, and this is a topic under discussion with the various sectors of society, with the aim of making the authorities, the public at large and women themselves more sensitive to and aware of the problem.

Taking a future perspective, these studies will form a point of reference for the development of a strategy in this area, which will make it possible to meet the challenges facing the principle of equal treatment of men and women and of equal opportunities to exercise their rights.

There can be virtually no longer any doubt that the phenomenon of violence against women is a threat to fundamental rights which demands an urgent solution.

The current absence of adequate legal protection allowing effective action against this phenomenon calls for concrete measures to be put forward to prevent and monitor acts of aggression perpetrated against women and children.

To this end, draft proposals have been drawn up for modification of the Penal Code.

Another draft law has been initiated by the Directorate for coordination of strategies concerning the rights of women, within the Ministry of Labour and Social Welfare. It is a draft Government decree on the setting up of a pilot centre to provide assistance and protection for the victims of domestic violence, which recently took firm shape.

Article 6

21. A phenomenon which has exploded in Romania since December 1989, and one which has recently become more organized, is that of prostitution and procuring.

The opening up of frontiers, the development of tourism, as well as the appearance of prostitution networks ("recruiting companies" both within Romania and abroad) have favoured the rise in offences of this type.

The dramatic growth in prostitution (2024 prostitutes recorded by the police, 524 of them minors, for the period 1990-1995) has expanded it beyond the national frontiers, creating "sex itineraries" both within the country and outside it.

This aspect of prostitution has expanded in the form of private companies whose business is to place young women into networks, in particular outside the country.

Another form of exploitation of women, with ramifications in countries such as Turkey, Greece, Cyprus, Austria, Hungary, Italy and Germany, consists of trafficking of women to foreign procurérs or to brothel-keepers, and this phenomenon is amplified by the exploitation of women for the production of pornographic material.

22. Cooperation between the police of Romania and other countries has opened up the possibility of breaking up the networks for the traffic in prostitutes, which is part and parcel of the scourge of organized crime.

Finding an effective solution to the problem of prostitution initially involves difficulties of a legal nature, because the legislation of Romania does not at present adequately regulate this phenomenon.

While currently subject to punishment under article 328 of the Penal Code, prostitution, whether or not under the disguise of various commercial activities (beauty parlours, massage parlours, strip-tease clubs, artistes' agencies, travel agencies, marriage bureaux, etc.) is currently the subject of public debate on possibly legalizing it, giving it a status which would both permit it and also place restrictions on it, which would be in line with social reality and would permit the State to take appropriate action in the interests of public health.

To this end, the Ministry of Health has already put forward a draft law on the legalization of prostitution.

A further aspect is that of the proliferation of pornographic material. There is evidence of an increase in the production of obscene materials and publications, often accompanied by an increase in acts of sexual violence in society. This set of circumstances results in the proliferation of acts of rape, incest, sexual relations with minors, acts of perversion or sexual corruption.

The police authorities have found it necessary to hand the authors of such pornographic materials over to the courts. But the legal objective of doing so is still far from achieved, owing to the inadequacy of the legal framework and the lack of an overall appreciation of the social danger which this phenomenon represents for minors and young people.

23. With a view to limiting the occurrences of violence against women, as well as their psychological and social consequences for the victims, the police authorities are currently undertaking relevant action in order to:

- Increase the number of educational projects on legal and preventive aspects, undertaken by teams of police officers within the targeted groups of women who are most at risk;
- Creating special police offices to prevent and combat violence against women;
- Ensuring that police officers are always available to examine complaints from the victims of violence both within and outside the family;
- Ensuring that female police officers are more involved in handling cases in which the victims are women, so as to eliminate breakdowns in communication;
- Increasing patrols in those locations where the majority of the working population comprises women;
- Intervening in conflict situations within the family which often lead to mistreatment of women or girls;
- Acting to make "conjugal rape" a crime and working towards a stiffening of the penalties provided for acts of violence by husbands against their wives;
- Acting to bring the offence of sexual harassment under the criminal law;
- Limiting the degree of publicity of the criminal trials in cases of rape, incest, etc., so as to avoid worsening the psychological and social consequences for the victims;

- Creating, at the local level, specialized public services, or even crisis shelters for battered women who have left the family home; organizing centres for the prevention and treatment of sexual abuse, and facilities for recovery within specialized clinics, where the women who are victims can also receive legal counselling.

24. There has been initial research into the question of sexual harassment, which is already a topic under discussion with various components of society, with the aim of making the authorities and civil society more aware of the problem.

Despite the difficulties, which include budgetary restrictions, the lack of an appropriate legislative framework and the absence of educational programmes for parents, it has proved to be the case that an effective and stable partnership between the structures of the State and the non-governmental organizations involved in combatting violence against women may be capable on its own of providing long-lasting solutions.

On the basis of studies currently being undertaken, there are partnership programmes between the Inspectorate-General of Police and certain non-governmental organizations. One of them takes the form of cooperation with the "Ariadna" association (the association of Romanian women journalists) and consists of discussions with targeted groups of women, with a view to counselling them on their rights and on ways of improving the prevention of acts of violence.

Another programme is under way with the "Democratic League of Female Students of Romania", entitled "A Chance for Equality of Opportunity", which is directed towards women from the rural areas.

A further project is being pursued together with AIDROM, the ecumenical association of the churches of Romania, again with the objective of preventing violence against women.

A further aspect of this conscience-raising on violent behaviour against women takes the form of media interviews with target groups. These comprise an ideal way to promote an effective linkage between the topic and the capacity of the message given in the press to educate and to prevent.

Article 7

25. It may definitely be said that the legislative system makes a good showing in the area of the political rights of women.

The constitutional provisions (articles 34, 35, 37 and 16, described in the earlier reports) meet the stipulations contained in the International Covenant on Civil and Political Rights (ratified by Romania in 1975), as well as the provisions of other international legal instruments to which Romania is a Contracting Party (such as the Convention on the Political Rights of Women, ratified by Romania in 1954).

Analysis of these constitutional texts shows that there is no discrimination against women at the level of the legislation.

However, although the principle of equality between men and women is to be found in every section of the law, explicitly or implicitly, there is sometimes a discrepancy between legal theory and actual practice, relating in particular to women's access to decision-making positions in political and economic life, and to high-level positions especially.

While it may be noted that the legislation on non-discrimination in political life with regard to women is well-founded, it must nevertheless be stressed that the actual situation may well be somewhat different.

Since many of the political parties have made use of women only in administrative functions, rather than in the actual political struggle, as a consequence very few women have succeeded in securing important party positions in recent years, including after the parliamentary elections of 1966. Only 5 per cent of the parliamentarians (two senators and 23 deputies) are women.

The statistics on the participation of women in the executive branch reveal five secretaries of state who are women, and 78 female mayors in small towns or villages (out of the total of 2954 mayors elected in the 1996 local elections).

Only 26.9 per cent of the decision-making posts in the central public administration are occupied by women.

It is quite evident that the involvement of women in public and political life remains at a low level

26. A second aspect of this topic deals with evaluating the effectiveness of the means for civil society monitoring of the activity of the decision-makers in the Government with regard to the advancement of women.

At the present time, a large number of non-governmental organizations have as their objective the protection of the rights of women, including with regard to their participation in public life.

One of the legislative measures recently adopted in Romania (Law No. 109/1997) governs the creation of the Economic and Social Council, an autonomous and tripartite public interest body, which has a consultative role in the development of economic and social policy (on labour, wages, social welfare, health, etc.), and a mediating role in conflicts arising between the two sides of industry (prior to the commencement of the legal procedures provided for in Law No. 15/1991 on the resolution of labour conflicts).

There are many areas of the labour market in which women form the majority (education, health, justice, the textile industry, the chemical industry, etc.) and in which the work of women is regarded as completely professional. However, it can be observed that there are very few women holding leadership positions in trade unions or employers' organizations. This topic is addressed in greater detail under article 11.

It is quite evident that the mechanism for tripartite social dialogue will have a strong impact on the concern of the authorities to press the various sides of industry to participate actively (including participation by women) in the drawing up of the legislation and policies of economic transformation which are of direct concern to them.

However, it is also true that women themselves have not entered very wholeheartedly into public life. And this lack of participation testifies to the general attitude which assigns women to the "traditional" role.

Article 8

27. There is no evidence of any distinction which disadvantages women in the area of international relations, international trade, etc., in which the participation of women in international conferences, meetings, or seminars is highly evident.

There is a significant presence of women in the Romanian diplomatic corps, and their career pattern is noteworthy. However, there are only two women who are currently ambassadors of Romania to other countries.

Article 9

28. By means of an organic law deriving from the Constitution (Law No. 21/1991), the rules on citizenship in Romania cover a whole set of principles which may be considered an aspect of the relationship between the State and its citizens.

While the provisions arising out of the law on citizenship have been presented in earlier reports, some aspects may usefully be commented on in greater detail.

There is no possibility of discrimination (direct or indirect) as to citizenship in the case of a woman. Women and men also have equal rights as to the citizenship of their children. The acquisition of Romanian citizenship by an adopted child and the loss of citizenship are covered by procedural rules which the earlier report described in detail. Thus, Romanian citizenship is acquired by a child who is an alien or stateless, through adoption, if the adopting persons are Romanian citizens and the child has not yet reached the age of majority. In the case of a child who is an alien or stateless and who is adopted by a couple only one of whom possesses Romanian citizenship, the citizenship of the child will be decided by agreement between the adoptive parents.

Under article 6 of the law on citizenship, when there is disagreement between the adopting parents, it is the responsibility of the competent court to pronounce on the citizenship of the minor child, taking the child's interests into account. The consent of a child aged 14 and over must be obtained by the judge.

Similar provisions are in place for cases involving repatriation of the parents. While children are still minors, under 14 years old, it is considered

that the decision as to their citizenship is the responsibility of the parents who are repatriating themselves.

If they should disagree, this then empowers the court of the place of residence of the child to pronounce on the child's citizenship, taking his or her interests into account. Again, the consent of a child 14 or over has to be obtained by the judge.

From a procedural point of view, clarifications on the situation in which one of the parents obtains Romanian citizenship upon request are contained in similar provisions. In such cases, the two parents decide on the citizenship of their child who is a minor. If they disagree, the question is examined and decided by a competent court.

29. A further legislative text which has an impact on the question of Romanian citizenship is contained in Emergency Ordinance No. 25/1997, governing the legal rules on the subject of adoption.

The phenomenon of international adoption has effects on the citizenship of a child adopted by non-Romanians.

In accordance with this legislative provision, a child who is ten years old or more gives his consent to adoption before a judge. Allowing that international adoption and citizenship are linked to this degree, it is legitimate to say that the child aged 10 years old or more gives his consent to his future citizenship.

At the same time, "in cases when the adoption is declared void or is annulled, the minor child is considered to have kept Romanian citizenship."

New aspects on the institution of citizenship will be developed through the regulatory provisions of the European Convention on Nationality, which Romania ratified on 6 November 1997. In the light of the relevance of this convention for Romania and for the other European countries, a draft law has been drawn up, modifying Law No. 21/1991 which is currently in force, so as to harmonize all the legal rules currently in existence with the rules of the Council of Europe.

At the present time, this draft law is before Parliament for examination.

Article 10

30. The period 1993-1998 was marked by changes in the sphere of education, which are reflected in new legislative measures intended to give substance to article 32 of the Constitution on the right to education.

The wording of the Constitution states: "The right to education is provided for by the compulsory general education, by education in high schools and vocational schools, by higher education, as well as other forms of instruction and post-graduate refresher courses."

As an organic law arising out of article 32 of the Constitution of Romania, the law on education, Law No. 84/1995, is the principal legislative measure which has been adopted on the subject.

Article 5 provides: "The citizens of Romania have equal rights of access to all levels and forms of education, regardless of their social and material circumstances, sex, race, nationality or political or religious affiliation."

Paragraph 2 of article 5 of the law on education specifies that: "The State promotes the principles of democratic education and guarantees the right to education adapted to the pupils' needs on the basis of educational pluralism."

In accordance with this law, which arises out of the Constitution, State education is free, accessible to all children without discrimination and compulsory for a period of eight years.

The relevant legislative framework (Law No. 84/1995 and the regulations drawn up in order to implement it) makes no distinction or discrimination as to sex in the educational system.

Parliament ratified in January 1998 a series of conventions of the Council of Europe on the equivalence of diplomas giving access to university institutions and on the academic recognition of university qualifications.

Established on the basis of a number of legislative measures, the education system in Romania offers equal opportunities for access by boys and girls to all forms and all levels of education.

31. Specific measures have been taken within the educational system so as to form in young people the spirit of tolerance, respect for one's fellow-man and the universal values of democracy.

These objectives are found in various school-books embodying a modern and tolerant approach.

To this end, a broad programme of education in the area of human rights has been drawn up at the primary and secondary levels, with school curricula including subjects such as "civics" and "human rights".

In the law faculties, the Police Academy and the Higher Magistrates' College, the inclusion of the subject of "human rights" enables the fundamental principles and the international instruments on human rights to be widely known.

The question of the rights of women is handled in the same way, with an approach which sets out to create in the mind and understanding of schoolchildren the analytical capacities necessary to grasp sex-based prejudices and their implications.

The same interest in inculcating the idea of tolerance in young people is found at the level of the Government bodies.

Thus, the structures of Government are engaged in drawing up programmes concerning non-discriminatory education in the family and at school, the promotion of educational models based on partnership between the sexes, or programmes on the prevention, through education, of conflict situations and manifestations of aggressiveness within the groups of minors and young people.

32. In order to combat violence against women in the family environment, as well as other forms of discrimination which appear in the relationships within the family, a project to create a "National centre for information and education on family life" will be implemented, with the aim of creating attitudes which are able to harmonize working life with the various family responsibilities, in a non-discriminatory manner.

In order to prevent women from dropping out of school at a very early age, or to avoid their ceasing their participation in a remunerated social activity, mechanisms for distance learning or alternative forms of learning have been set up, making possible the distribution of information and the development of women in society.

At the present time, 93.3 per cent of pupils are in the national compulsory 8-year education system, 48.7 per cent being accounted for by girls. At the high school level, 55.7 per cent of the pupils are girls. In vocational education, where technical subjects predominate, the female percentage remains low.

33. There are numerous non-governmental organizations, with a wide range of concerns, which are demonstrating how important they are in the formation of the civic spirit and the promotion of respect for human rights and fundamental freedoms, including the rights of women.

Since 1990, a number of domestic non-governmental organizations have defined their sphere of interest in the area of the protection of the rights of women. Examination of their activities, in the protection of women and children, leads to an acknowledgement of their growing commitment to the life of the community.

Following the launching of the European Youth Campaign against Racism, Anti-Semitism, Xenophobia and Intolerance (RAXI) in December 1994 in Strasbourg, the "National Romanian Foundation for the Coordination of the Campaign of the Council of Europe against RAXI" was set up, bringing together representatives of Government institutions, the political parties and non-governmental organizations.

The Romanian Institute for Human Rights was created on 23 September 1991, as an independent body whose main task is the dissemination of knowledge on international rules in the field of human rights, including in the field of the elimination of all forms of discrimination against women, and research on the subject.

On the basis of Resolution No. 48/127 of 20 December 1993 of the United Nations General Assembly, concerning the proclamation of the Decade of Human

Rights Education, the Institute launched a "National Action Plan for Education on Human Rights and Democracy", which it has pursued continuously since 1994.

The Action Plan is based on the programmes drawn up jointly with the institutions of the central and local public administrations and the non-governmental organizations, and its objective is to play a role in the distribution of information concerning human rights and to foster structured sociological research in the area, with implications for the drawing up of programmes for education in human rights in both pre-university and university education.

For example, cooperation with the Ministry of National Education falls within the concerns listed, providing the opportunity to teach pupils about the legal rules on the protection of rights of the child, the protection of the rights of persons belonging to national minorities, and so on.

Article 11

34. In the past, Romania had ratified two conventions of the International Labour Organization: No. 100, the Equal Remuneration Convention (ratified in 1957) and No. 111, the Discrimination (Employment and Occupation) Convention (ratified in 1973).

In accordance with the provisions of the Constitution, the treaties to which Romania becomes a Contracting Party become instruments of domestic law.

In 1993, Romania acceded to the statute of the Council of Europe which provides for the elimination of all forms of discrimination against women. In October 1994, Romania signed the European Social Charter. In May 1997, Romania signed the revised European Social Charter, which will cause some changes in its domestic legislation.

The Government is currently undertaking the necessary legislative changes so that the revised European Social Charter can be ratified in the near future.

Under Law No. 140 of 6 July 1998, Romania ratified a further convention of the International Labour Organization: No. 105/1957, the Abolition of Forced Labour Convention.

In the area of social welfare, the articles concerning equal pay for men and women, the minimum age for being employed, the employment of female workers in underground work and other dangerous areas, paid maternity leave, the prohibition on dismissing a woman during maternity leave, and so on, are currently part of the legislation of Romania and have been covered in the presentation made in the earlier reports.

Access to employment is not affected by any legislative or administrative discrimination based on race, color, religion, political opinion, nationality, social origin or sex.

35. Analyzing the developments in the main specific indicators concerning the labour market, with regard to the trends affecting the female labour force, the following may be observed:

- Women represent more than half of the population, namely 51.2 percent in the towns and 50.4 percent in the rural areas;
- Unemployment has come on to the scene and has increased in scale, impacting women in particular.

The statistics as at 1 January 1998 reveal the following:

- Of the total labour resources of the country, 48.6 per cent are women;
- 46.5 per cent of the total civilian working population are women;
- The civilian female working population is employed as follows: 38.8 per cent in agriculture, 26 per cent in industry, 9.5 per cent in commerce and services, 6.8 per cent in education, 5.9 per cent in the medical and social welfare sector, 2.3 per cent in business, 10.7 per cent in other areas.

36. The principle of equality between the sexes in access to employment, including vocational training, as well as in working conditions and social security, is implemented through a series of legislative measures that derive from the Constitution, which states, in its article 43: "The State shall be bound to take measures of economic development and social protection to ensure a decent living standard for its citizens."

In accordance with the provisions of the Romanian Constitution, of the Labour Code and of Decree-Law No. 95/1990 on the five-day working week, the rights of employed persons, which are included in the wording of the Constitution and the Labour Code, are not subject to any discrimination based on sex: the right to work cannot be limited and one's choice of profession or job is free; the right to family benefits is not subject to discrimination in Romania; the working day consists of eight hours and the working week consists of 40 hours.

Those working on a long-term basis in arduous jobs are granted a reduction in their hours of work.

There are protective measures directed towards occupational safety, the working conditions of women and young people, the minimum wage which can be paid in the light of the economy, weekly rest days, paid leave, supplementary grants for work carried out under arduous conditions and other specific situations.

However, even if from a legal point of view, access to employment is guaranteed equally to women and to men, in practice acts of discrimination can be observed (including in the private sector).

In this context, the Government body for the protection of women, set up within the Ministry of Labour and Social Welfare, envisages consolidating the legal framework of the implementation of the principle of equal treatment for men and women with regard to access to employment, vocational training and professional advancement. In line with this objective, a special legislative measure whose purpose is to prohibit and penalize discriminatory practices has

been drawn up and adopted by the Government. The draft law has been submitted to Parliament, and is intended to harmonize the legal framework of Romania with the legislation of the European Union (and in particular, directive 76/207/EEC, adopted in 1976).

37. With regard to the principle of "equal pay for equal work", the Constitution guarantees the principle of equal pay between the sexes.

In accordance with article 38 of the Constitution, women must receive equal pay to that of men for equal work.

The basic wage or salary is established for each worker, regardless of sex, based on his or her qualification and the importance and complexity of the work involved in the job, relative to vocational training and professional competence.

With regard to the practical aspects of equality in payment, statistical data in the area of wages and salaries, divided up by sex, are virtually non-existent.

Overall, in October 1993 the average wage paid to women was 93.6 per cent of the average of all wages, while the wages obtained by men amounted to 104.5 per cent; in other words, the average wage of women was 10.9 per cent lower than that of men.

The causes for this difference arise from the twin facts that there are more women in the sectors of the economy which are less well paid (the textile industry, health, education, telecommunications) and that there is a low percentage of women in the better-paid decision-making posts.

38. The protection of labour attests to the importance which the Government attaches to the proper performance of the process of work, with the objective of safeguarding the life of the workers as well as protecting them from physical injury and ill-health. Those workers, of course, include women.

Employment contracts are drawn up from the same perspective, whether they are individual or collective, and whether they are domestic or with employers from other countries. They include clauses on labour protection and on the prevention of occupational accidents and diseases.

The working conditions offered to women are no less favourable than those enjoyed by men. In certain more arduous occupations, with dangerous and difficult working conditions, men are for the most part, employed.

The rules on labour protection apply to all wage and salary-earners, as well as to persons employed on the basis of civil agreements for temporary work, and also to schoolchildren and students during their vocational practical experience.

39. The State is obliged to undertake social welfare measures, so as to ensure a decent standard of living for its citizens. The latter have the right to a retirement pension, to paid maternity leave, to medical care in State health

facilities, to unemployment benefits and to other forms of social assistance, as well as welfare measures relating to work.

One fundamental characteristic of unemployment is that different categories of the population are impacted by it to highly differing degrees.

At the end of the month of June 1998, women represented 48.5 per cent of the employed. This meant that 428,620 unemployed out of a total of 881,435 were women.

Out of the total of those receiving material benefits due to their being unemployed (unemployment benefits, assistance with vocational establishment, etc.) those most affected are young women under 25, representing 37.5 per cent. Among the young female unemployed, 41 per cent have been receiving unemployment benefits for nine months.

Programmes and schemes have been put in place so as to promote the social rehabilitation of unemployed women.

One of the schemes involves placing technical and vocational training among the priorities of national concern. This is provided by instruction at technical high schools, vocational establishments, post-secondary schools and higher education establishments.

Similarly, the Ministry of Labour and Social Welfare organizes vocational training and refresher courses for the unemployed, so as to ensure their return to working life.

Access to free vocational training for unemployed people is guaranteed by Law No. 1/1991. In consequence, some 30,000 unemployed people are undergoing vocational training in the trades for which there is demand on the labour market. In 1997, 40,222 unemployed people obtained new or additional qualifications.

40. The protection of unemployed people is implemented both by material benefits and by facilities provided by the various social services. Thus, those persons who are considered unemployed as defined by the law receive unemployment benefits for a period of 270 days. After that, those who still do not have work and who lack the means of subsistence receive a maintenance grant for a period of 18 months.

The rate of unemployment benefit is established on the basis of the duration of the work performed before unemployment and the average wage or salary of the last three months.

Another form of benefit which assists the unemployed is the maintenance grant. The rate of the maintenance grant is 60 per cent of the unemployment benefit, including assistance for occupational establishment.

The occupational establishment assistance represents another form of welfare which is provided to school-leavers up to the age of 18 who do not have financial resources of their own, and who have not been employed for a period of

60 days; to young people under 16 years of age, without parents or guardians; to school-leavers from a special school for the disabled who are not employed, and so on.

During the period in which a person is receiving unemployment benefit, occupational establishment assistance or the maintenance grant and is also following qualification, re-qualification or vocational refresher courses, he or she also enjoys other rights: State child allowances, free medical assistance, and so on.

41. So as to create new jobs, credits are granted for the implementation or development of small and medium-sized enterprises or cooperatives. Priority is granted to unemployed people who undertake to create companies and to those coming from the areas where the rate of unemployment is higher than the national average.

42. With regard to the applicability of the principle of equality of treatment for men and women who are self-employed or whose work contributes to a similar activity, there are two national welfare insurance systems in Romania, brought into being by Decree No. 718/1956 on the establishment of retirement homes and welfare insurance systems for religious orders, and Decree No. 2351/1979 concerning retirement pensions and other rights from welfare insurance systems for lawyers, modified by Decree-Law No. 129/1990 and Law No. 28/1990.

These two independent systems operate as vocational social security systems. It is compulsory for anyone in the professions concerned to be insured in these systems.

There are various forms of welfare insurance system in Romania:

- State welfare insurance system (the most widespread);
- Welfare insurance system for agricultural workers;
- Welfare insurance system for independent categories: (lawyers, military personnel).

The State welfare insurance system covers practically all situations which lead to a reduction or loss of income: old age, illness, accident, maternity, disability and death.

The principal types of benefit in the welfare insurance system are:

- Old-age pensions (granted to people who have worked and have reached an age limit), invalidity pensions (for disabilities caused by occupational accidents and occupational or ordinary illnesses), survivors' pensions, supplementary pensions;
- Allowances for temporary inability to work, caused by illness, accident or maternity;
- Death benefits;
- Grants towards the tickets for spa treatments and rail travel.

43. In accordance with a law of 1997 (Law No. 3/1977, article 3 (1)), "The right to a pension from the welfare insurance system is granted to all citizens

who have undertaken permanent work based on a labour contract and who have contributed to the state welfare insurance fund."

Workers who have been employed for a minimum of 30 years (men) or 25 years (women) are entitled to a retirement pension. Retirement age is 62 for men and 57 for women. At the person's option, retirement may be taken early, when the age of 60 (for men) or 55 (for women) is reached.

Survivors' pensions are granted to the widow or children, if the deceased man was retired or met the conditions to obtain an old-age pension. It should be stressed that a surviving husband does not enjoy survivor's rights on the death of his wife.

Under Law No. 86/1997 which modifies and amplifies Law No. 3/1977, the legal framework has been created for pensions and other rights accruing to Romanian citizens domiciled in other countries.

Law No. 57 of 5 March 1998 covering the adoption of Government Emergency Ordinance No. 39/1997, on retirement upon termination of work, at a lower age, for women working in the mining industry, recognizes the fact that: "Persons who have completed a period of work of at least 20 years below ground or 25 years in quarries and similar installations may request retirement two years before the retirement age stipulated by the law for that category."

New draft laws are being examined and adopted:

- On social welfare for the aged, who represent 25 per cent of the population, with a view to creating a sub-system under the present social welfare system;
- The framework law on social welfare;
- On the State insurance systems, to implement a public retirement and welfare insurance system.

In the future, the new legal framework will make it possible to organize and operate a private retirement pension system, in parallel with the other retirement systems and other welfare insurance rights granted by the State.

44. The measures in existence relating to the creation, maintenance, consolidation and protection of the family are:

- Five days of leave for the marriage of the wage or salary-earner;
- Assistance for the wives of men performing their compulsory military service;
- Allowances for childbirth;
- State child allowances;
- Welfare assistance for low-income families;
- Paid medical leave in cases of sickness in children up to the age of three;
- Free medical assistance for the mother and the child and free medicines for the children, both in hospitals and in out-patient treatment;
- Free access to all forms of education.

Under the Labour Code (article 146):

- The labour contract of a woman during pregnancy, during maternity leave or during the period of breast-feeding, or while the mother is taking care of a sick child up to the age of three, may not be terminated at the initiative of the employer;
- The total duration of maternity leaves and obligatory post-childbirth leaves is stipulated.

Within the context of the economic restructuring, an emergency ordinance has been issued, and has become law, which provides, in order to protect families with children in the event of mass dismissals, that: "Only in the last resort may the labour contract be terminated when the worker is a woman taking care of children, a man taking care of children, or the sole financial support of a family."

In cases of mass dismissals, caused by restructuring of the economy, protection of persons dismissed and having children is provided by a legislative regulation of recent date (Emergency Ordinance No. 9/1997).

45. Among the indirect actions seeking to put into practice the principle of equal treatment of men and women in all spheres of social, cultural and educational life, note should be taken of the new series of legislative measures which have been adopted in the welfare field and which have a direct impact on childhood.

The Labour Code entitles working women to special measures for protection of their health and to appropriate conditions for the welfare and upbringing of children.

Children up to the age of 16 (18 if they are attending some form of education, or are disabled) are entitled to a monthly State allowance, regardless of the social standing or income of their parents.

Law No. 61/1993 grants the right to State child allowances, at the rate of 65,000 lei per child per month.

Starting on 1 July 1997, families taking care of and bringing up two or more children are entitled to additional State allowances.

This allowance also applies to adopting families, or to those with whom children have been placed in foster care, or to the families of aliens or stateless people domiciled in Romania.

Under Law No. 119/1997, the State budget provides additional financial assistance to families with several children (at a rate of 40,000 lei per month for two children, 80,000 lei per month for three children, and 100,000 lei per month four or more children).

Approximately 140,000 families benefit from such assistance from the State budget.

In the same context, note should be taken of Emergency Ordinances No. 25/1997 on adoption and No. 26/1997 on the protection of children in need (which have become law following approval in Parliament), which grant 300,000 lei a month to each child placed with a foster family; Law No. 119/1997 on the additional allowance for families with children; Law No. 120/1997 on paid leave for looking after a child up to the age of two, and so on.

46. Taking into account the role of the family in the growth, care and upbringing of the child, as well as the preservation of family values, Emergency Ordinance No. 26/1997 creates legal rules on the protection of the rights of the child in the family environment, on the implementation of a network of trained child-raising aides responsible for the protection of children placed in foster families and on the promotion of alternative measures aimed at the protection of children in the family environment or in specialized institutions.

For example, in 1997, 5710 children benefited from placement grants.

The provisions adopted in 1997 (Law No. 120/1997) are in accordance with the principle of equal treatment: paid leave to raise a child, up to the age of two, is granted to either parent at their option.

47. With regard to the safety and health of working women who are pregnant, who have given birth or who are breast-feeding while at work, the legislation of Romania guarantees benefits ensuring an income at least equivalent to that provided to women who stop work for health reasons.

Pregnant or breast-feeding women are not placed in hazardous, arduous or dangerous occupations, and may not be requested to work additional hours. Work for women at night is permitted only under restricted conditions, which are explicitly laid down by law.

A legislative measure of 1965 provides for maternity assistance for:

- Confinement and the post-natal period;
- Caring for a sick child.

Working women have the right to 112 days of paid maternity leave, 52 of them before confinement and 60 after it.

The rate of the allowance for the period of confinement and after the birth is determined on the basis both of the woman's monthly wage or salary and other income, and of the length of time worked:

- 85 per cent for women who have worked for more than 12 months;
- 65 per cent for women who have worked between 6 and 12 months;
- 50 per cent for women who have worked between 1 and 6 months;
- 94 per cent, regardless of the length of time worked, for women giving birth to the third or subsequent child.

Employers are obliged to provide women, while they are working, with facilities where they can breast-feed their child.

The current legislation on the protection of women in confinement and during the post-natal period is in accordance with the corresponding rules of the European Community.

The wives of men who are performing compulsory military service, and whose income is reduced, receive a monthly grant if they are pregnant or disabled or if they have children aged less than 7.

A double State allowance is granted to disabled children.

Families and persons without income or having a low income, persons on their own, aliens or stateless persons residing in Romania may receive welfare assistance on request.

Families or individuals who are in situations of need caused by natural disasters, fire, accidents, and so on may receive emergency assistance.

48. It is envisaged to prepare re-orientation and education programmes on family life, as part of an effort to change traditional patterns, stereotyped attitudes and discriminatory behaviour.

Thus, two draft laws, the law on equality of opportunity between men and women, and the law on parental leave, in accordance with the Directives of the European Union, meet international standards in the area of the elimination of all forms of discrimination between men and women.

The first draft law defines direct and indirect sex-based discrimination and forbids it within working relationships.

It stipulates that competition, under non-discriminatory conditions, shall be the procedure for gaining any vacant post, and provides the first definition in Romanian legislation of sexual harassment at work, guaranteeing damages for people on whom it has been inflicted.

The second draft law covers paternal leave, promoting the principle of the participation of both partners in family life and the sharing between the two parents of the responsibilities connected with the development and upbringing of children. This law represents a way of encouraging the father to take responsibility for the care and upbringing of his children.

Under this draft law, upon the birth of his child, the father is entitled to five days of paid leave, to which ten additional days are added if he has followed a certified course on child-raising.

It is intended to draw up a new Labour Code, comprising all the relevant legislation, including that of the European Union.

49. With a view to monitoring how effectively the laws in existence or those to be adopted in the future are being applied, a draft law covers the creation of a new government institution: the Labour Inspectorate.

At the present time, disputes on working conditions, labour relations, the access to vocational training and professional advancement are resolved before the civil courts in accordance with the provisions of the Labour Code.

Women who consider that they have suffered discrimination may bring a complaint before the judge, and may also invoke the provisions of the international legal instruments to which Romania is a party.

Article 12

50. With regard to the developments since the last periodic reports, in the area of the health protection of women, some statistics would appear to be useful:

Since 1990, maternal mortality has dropped to 0.41 per 1000 births in 1996, in comparison with 1.69 per 1000 births in 1989. At the present time, the rate of maternal mortality remains at 0.41 per 1000 births.

Infant mortality has also dropped, to 22.3 per 1000 births in 1996, in comparison with 26.9 per 1000 births in 1989. At the present time, infant mortality is 20.2 per 1000 births, as recorded in the first six months of the current year, by comparison with 22.0 per 1000 births in the previous year.

General mortality (12.3 per 1000 inhabitants) has significantly increased by comparison with the countries of the European Union, being close to that of the countries of Central and Eastern Europe.

Owing to the increasing mortality, life expectancy in Romania is six years lower than the average for Europe. The average for Romania is 69.5 years, ranging from 66.3 for men to 73.09 for women.

The main causes of death are circulatory diseases (61.5 per cent of the total), cancer (13.8 per cent), accidents, poisonings, trauma (6.5 per cent) and respiratory illnesses (6.5 per cent) (see Appendix).

51. Abortion remains the principal means of birth control, despite the availability of modern contraceptive methods. Similarly, the level of knowledge about reproductive health, which is still very low, including on the risks of abortion for the health of the woman, is not only part of the explanation for the disquieting situation as to maternal mortality and abortion in Romania, but also represents a priority area of action for the health and family planning institutions. An important part needs to be played also by school, the family and the media.

In recent times, regional contraception and family planning centres have been set up.

52. With regard to access to medical services, 100 percent of women are entitled to medical services before confinement and after childbirth.

53. In conformity with the ideas in the Universal Declaration of Human Rights, one might speak of a right of older persons, including older women, to have access to medical and para-medical care necessary to maintain their health.

Existing with the objective of providing physical and mental stimulation to older and infirm persons, including women, the Ana Aslan Foundation of Romania has drawn up programmes to assist this category of the population. These programmes combine tourist travel with medical treatment, forming an effective remedy against aging and the infirmities which more seriously affect this sector of the population.

54. Increased attention has been paid to the protection of the disabled, including disabled women.

Article 46 of the Constitution states that: "The disabled shall enjoy special protection. The State shall ensure the promotion of a national policy of preventive care, treatment, rehabilitation, education, instruction and social integration of the disabled, while observing the rights and duties of their parents or legal guardians."

The new government policy on this category of the population takes as its starting point the principle that a disability is not located in the individual, but rather represents a situation created by society, by the lack of access to certain services and facilities, together with negative attitudes with regard to social integration, which interferes with equality of access to various social opportunities.

It is the responsibility of society to create a favourable environment in which the disabled and the non-disabled have the same rights and responsibilities.

55. With the aim of improving the state of health of the population, the health system has been undergoing a process of structural reform since 1996.

The principles of the new health policy, which create the assumptions underlying the reform of the health services, are as follows:

- The health services are considered a social and collective benefit, which must be available to all citizens; the principle of fair access must be put into practice, without economic, cultural or geographical barriers;
- The medical services must be financed on a basis of solidarity, one which entails a sharing between the healthy and the sick, between the old and the young, between the wealthy and the poor, and between single people or small families and large families;
- People must be free to choose their family doctor;
- There must be cooperation of the health services with the other sectors which impact the state of health: social welfare, education, public services, agriculture, industry or transport.

The legislative measure regulating the main health protection system for the population is the law on social health insurance schemes (Law No. 145/1997).

Those persons who are insured enjoy both preventive medical services and medical care. They also receive medicines, financial assistance in the event of illness, maternity assistance and assistance for the care of children.

56. The United Nations Population Fund (UNFPA) has allocated US $700,000 for the improvement of reproductive health in Romania, for the two coming years.

The non-governmental organizations active in this area also receive financial support.

A new initiative of the Ministry of Health, undertaken jointly with the Ministry of National Education, aims at supporting health education programs among children and young people. To this end, the Ministry of National Education has included six hours per year of sex education in the school curricula.

Similarly, jointly with the Ministry for the Environment and the Ministry for Industry, programmes will be implemented with the aim of ensuring correct management of waste and a reduction in industrial pollution.

A conference on the "Prevention of Violence - a Global Problem for Public Health" was organized under the auspices of the Romanian League for Health, the World Health Organization (the Romanian liaison office) and the university medical forum.

The concern of the authorities to guarantee a clean and healthy environment is also demonstrated by a project recently put forward, namely the "1997-2000 Programme to Combat Tobacco Use in Romania".

At the initiative of Romania, and with the support of the World Health Organization, the "BlackSeaDiab Working Group", comprising representatives of 12 countries from the Black Sea region, was set up. The objectives of this project are the coordination of work in the area of research into diabetes, as well as assistance to those suffering from the disease and the implementation of a realistic programme to bring the study of diabetes in this region in line with the standards of the European Union.

Romania organized the International Conference on Drug Abuse and Illicit Trafficking in the period 29-30 June 1998, attended by the Ministers of the Interior of the southern European States.

Article 13

57. There is no discrimination against women either in the legislation or in practice with regard to the ability to obtain family benefits, bank loans, mortgages or other forms of financial credit, or in regard to the right to participate in recreational activities, sports, and all aspects of cultural life.

With regard to the right to obtain bank loans or other forms of financial credit, no discrimination against women has been observed.

On the contrary, with a view to stimulating the participation of women in economic life, the Romanian authorities are about to draw up a draft law on the creation of the "Guarantee Fund for Women-Owned Small and Medium-Sized Enterprises".

58. With regard to the right to family allowances, the Romanian system of family allowances has been described in detail under article 11.

59. Various measures have been prepared in order to improve the process of professional retraining of the unemployed, to provide welfare for them and to increase their chances of re-entering the workforce (Law No. 171/1994).

On the basis of the present and future needs for manpower in each territory, the relevant departments establish trades, specializations, jobs and activities in which qualifications will be imparted to the unemployed.

To the same end, for those persons who are receiving unemployment assistance and have been admitted to the re-training courses, the labour and welfare departments make agreements with the companies where the unemployed people may subsequently be employed.

Article 14

60. The Romanian authorities are concerned to improve the agricultural sector in the country, and are active in fostering agricultural development. To this end, particular attention is paid to improving the production process in agriculture, both in the private enterprises and in associated industries.

Law No. 1/1994 establishes the obligation on the economic agents who are producers of or who trade in agricultural products to contribute to a retirement fund for agricultural workers. These arrangements are, of course, also relevant to women living in the rural areas.

Another law (Law No. 65/1997) grants financial assistance in the form of concessional loans to set up small and medium-sized enterprises or cooperatives. The objective of these loans is to create jobs, particularly for those currently unemployed.

If the recipient of the loan dismisses the people he has employed within three years after taking them on, he is obliged to re-fill the vacant positions within thirty days.

If he does not do so, he will be subject to a penalty equivalent to the value of the loan granted.

There are financial facilities for purchases of seed, granted to individual farmers as well as to agricultural companies.

61. The right to a retirement pension for agricultural workers, including women, is recognized by law (Law No. 80/1992). The law provides for assistance from the State, as follows:

- Pension on reaching a given age limit;
- Pension for the loss of the ability to work;
- Survivor's pension;
- Allowances for temporary inability to work;
- Allowances for confinement and post-natal grant;
- Allowances for child-raising, up to the age of two;
- Death benefits;
- Other rights from the welfare insurance system.

Under this law, the right to the survivor's pension is recognized, for the first time in the legislation of Romania, as accruing to children and to the surviving spouse (male or female, working in the agricultural sector).

The same law stipulates that women are entitled to a temporary disability allowance for pregnancy and following childbirth, for a period of 112 days, and also to an allowance for child-raising, up to the age of two (this possibility being granted at their option to either of the parents).

The age of retirement for women working in agriculture is 57, as compared to 62 for men (Law No. 80/1992).

As a social welfare measure, the State provides rest facilities and spa treatment facilities, the principal beneficiaries of which are retired persons and agricultural workers, including women from the rural areas. Facilities are also granted to the members of their families, as appropriate.

Article 15

62. With regard to the set of issues relating to article 15, it must be stressed that over and beyond the Constitution, which unquestionably enshrines the principle of equality before the law, this principle is also embodied within the domestic legal framework.

The principle is enshrined in Decree No. 31/1954 on natural persons and legal persons, in the following words: "Sex, race, nationality, religion, cultural level or origin shall have no influence on their capacity." The reference is to legal capacity, which defines the general ability to hold rights and be subject to obligations.

The same principle is to be found in article 26 of the International Covenant on Civil and Political Rights, to which Romania became a signatory in 1974.

A final approach which reflects the principle of equality before the law, under which all forms of discrimination, particularly those based on sex, race, language or religion, are forbidden, is contained in the European Convention for the Protection of Human Rights and Fundamental Freedoms, ratified by Romania in 1994, and which became domestic law under article 20 of the Constitution. As a result, Romanian citizens have legal processes at their disposal, provided for by the European Convention on Human Rights, in order to be able to assert the rights which they consider to have been infringed.

The principle of equality before the law goes hand in hand with another principle, which is also contained in the basic law, that of the protection of civil rights.

In the event of infringement of a subjective civil right, the person whose rights have been infringed can obtain recovery through a civil trial, a possibility which is also provided for in the jurisdiction of Romania.

Finally, as an attribute of human individuality within legal relations, the institution of "the home" is also protected by law. As a personal non-property right, the right to choose one's residence and domicile is granted equally to men and women and is enforceable erga omnes, inalienable and indefeasible.

The relevant Romanian legislation, implementing the provisions of article 16 of the Convention, has been described in detail in the earlier reports.

Article 16

63. The relevant Romanian legislation, implementing the provisions of article 16 of the Convention, has been described in detail in the earlier reports. With regard to the right to access to information on family planning, while this is not covered in the Family Code, a specific reference on the subject can be found contained in the presentation made concerning the application of article 10 of the Convention. Since, specifically, this is a right of self-determination, it may be said that the right to decide on the number of births is regulated, indirectly, in the basic law.

64. Similarly, the right to respect for private and family life, as well as the right to marriage, recognized in the Convention for the Protection of Human Rights, are also part of the legislation of Romania, by virtue of article 20 of the Constitution.

In accordance with article 12 of the Convention for the Protection of Human Rights and Fundamental Freedoms: "Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right."

Under the laws of Romania, "marriageable age" is the age of majority (18) for men, and the age of 16 for women. In certain cases, for a serious reason, marriage may be approved for a woman aged 15. Approval is granted by judicial process, on the basis of the opinion of an official doctor.

It should be stressed that under Law No. 116/1992, Romania has ratified the UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, which has the same scope as the requirements of article 16 of the Convention.

Consequently, the consent to marriage, the minimum age for marriage and the registration of marriages are regulated in the Family Code and in Law No. 119/1996 covering records of civil status.

Additionally, the institution of "betrothal" is not recognized under Romanian law, and in consequence does not have any legal effect.

With regard to the protection of the child, in other words the rights and obligations of the parents with respect to minor children, guardianship, wardship and the existence of authorities having the power of guardianship, charged with caring for the person and possessions of a minor, as appropriate, it should be noted that all of these institutions incorporated in the Family Code operate on the basis of respect for the principle of equal rights between spouses.

The interests of the child remain paramount.

ANNEX I

Draft law on equality of opportunity between men and women
(Extracts)

Chapter I. General provisions

Article 1 - (1) In Romania, the principle of equality of opportunity between men and women, in all areas of social life, is guaranteed by law.

(2) The public authorities are obliged to ensure respect for this principle.

Article 2 - Direct and indirect sex-based discrimination is prohibited.

(1) For the purposes of this law, direct discrimination represents any distinction, exclusion or restriction which is performed without a legal basis and which violates the exercise of human rights and human fundamental freedoms.

(2) Indirect discrimination represents any distinction, exclusion or restriction which arises out of regulations, stipulations or habitual practices and which, through productive effects, creates advantages or disadvantages for the members of one sex or the other.

Chapter II. Equality of opportunity in employment and work

Article 3 - There shall be no direct or indirect discrimination in working relations by reason of a person's sex, with regard to:

(a) Conclusion, suspension, modification and termination of labour contracts;
(b) Wages or salaries and changes thereto;
(c) Granting of social rights other than the wages or salary;
(d) Vocational training and retraining;
(e) Professional advancement;
(f) Other working conditions.

Article 4 - (1) The employer shall be obliged to advertise the vacant post, or, as appropriate, to prepare a competition for the vacant post, regardless of any criteria of sex, family status or marital status.

(2) Where the competition is publicized, or in situations where employment is based on other procedures permitted by the law, selection on the basis of sex is prohibited.

(3) An exception to the foregoing is made for employment in positions where, owing to natural causes or the specific conditions of the work to be performed, as stipulated by the law, the sex of the worker constitutes a determining condition.

(4) The employer shall not be entitled to refuse to employ women for reasons of pregnancy or marital status.

Article 5 - (1) There shall be no sex-based discrimination against employees in the establishment of wages and salaries.

(2) Where the criteria for wages and salaries are laid down by legislation, or by collective labour contracts, the employer must respect the principle of equal pay for equal work, or for work having an equal value.

(3) Men and women shall be remunerated equally for the same work or for work of the same value.

Article 6 - (1) All employees, regardless of their sex, shall be equally entitled to the social benefits provided by the employer.

(2) The employer shall be obliged to guarantee the workers, regardless of their sex, equal access to facilities for vocational training, advanced training and retraining. This provision shall apply also to temporary employees or part-time workers.

Chapter III - Sexual Harassment

Article 7 - Sexual harassment of one person by another person at the workplace or in a similar place, during work, is prohibited.

Article 8 (2) The employer may apply disciplinary sanctions against persons committing acts of sexual harassment.

Article 11 - If a labour contract is suspended, modified or cancelled before its due term, for reasons of the sex of the worker or as a result of the justified exercise of the right to lay claims in accordance with this law, the steps taken may be challenged before a judicial body, in accordance with the provisions of the Labour Code.

Article 13 (1) Any person suffering discrimination on the basis of his or her sex in the area of promotion at work shall be entitled to claim damages equivalent to three months' wages or salary.

Article 17 - The display in the workplace of visual materials of an offensive content, prejudicial to the dignity of persons, shall be considered an infraction, subject to a fine of between 1 and 2 million lei.

Article 18 - In situations where acts of sexual harassment occur in relationships other than those of the workplace, the person suffering the harassment may claim damages in accordance with civil law.

ANNEX II

Crimes of violence

Perpetrators

	Murder		Attempted murder		Assault resulting in death		Grievous bodily harm	
Crime	Total	Women	Total	Women	Total	Women	Total	Women
1994	817	52	425	22	225	8	174	2
1995	764	76	386	22	180	8	180	8
1996	671	56	496	20	185	12	175	9
I/1997	358	40	283	21	106	5	92	4
Total	2 610	224	1 590	85	696	33	621	23

Victims

	Murder		Attempted murder		Assault resulting in death		Grievous bodily harm	
Crime	Total	Women	Total	Women	Total	Women	Total	Women
1994	765	227	429	60	217	44	150	23
1995	721	226	390	59	177	46	153	24
1996	687	243	489	92	182	42	164	30
I/1997	345	121	258	54	102	19	86	15
Total	2 518	817	1 566	265	678	151	553	92

Crimes of rape committed against girls or older women

Year	Total	Girls aged less than 14	Women aged over 60
1994	1 391	113	154
1995	1 465	109	142
1996	1 362	126	164
I/1997	671	47	86
Total	4 889	395	546

Trend	Number of cases detected	305 70	698 179	730 228	534 124
Prostitution or procurement	Offenders	1994	1995	1996	I/1997
1994-1997	Total	174.765 343	196.876 668	211.138 709	129.841 515
	0-13 years old	2	2	2	1
	14-17 years old	57	121	140	88
	18-20 years old	80	149	163	115
	21-29 years old	124	242	290	214
	Over 29 years old	80	154	114	97
	Secondary school	252	509	522	398
	Vocational school	49	52	34	15
	High school	33	82	121	70
	Attending school	7	10	7	10
	Students	1	1	1	2
	Unemployed	3	3	3	1
	Without a job, minors	54	109	127	75
	Without a job, young persons	181	335	384	220
	Rural environment	93	180	-	148
	Repeat offenders	48	79	88	82

Offences concerning sexual life

Crimes with minors as victims	Total	Age				Sex		Area of origin		Level of education	
		0-10 years	11-12 years	13-14 years	15-18 years	F	M	Urban	Rural	Attending school	Without a job
Rape	328	36	26	56	219	328	-	195	133	218	110
Sexual relations with a minor	59	14	6	31	8	59	-	39	20	49	10
Sexual relations between persons of the same sex	39	15	8	4	12	-	39	25	14	26	13
Sexual perversions	94	25	7	20	42	75	19	78	16	74	20
Sexual corruption	44	24	7	7	6	33	11	36	8	37	7
Transmission of venereal disease	23	-	-	-	23	17	6	19	4	2	21
Procurement	73	-	-	4	69	73	-	54	19	21	52
Incest	16	5	1	4	6	16	-	11	5	9	9
Total	676	119	55	126	376	601	75	457	219	436	240
Corruption	25	2	3	5	16	2	24	22	4	20	6
Prostitution	129	-	-	16	113	129	-	108	21	41	88
Total	155	2	3	21	129	131	24	130	25	61	94

Domestic violence with women as victims

Period	Relationship of perpetrator to victim	Murder	Attempted murder	Assault resulting in death	Murder during robbery	Rape and murder	Grievous bodily harm
1994	Number of victims	759	426	205	14	7	152
	(a) Husband - wife	77	29	13	-	-	6
	(b) Father - daughter	5	1	-	-	-	-
	(c) Son - mother	19	2	4	-	-	-
	(d) Son-in-law - mother-in-law	5	2	1	-	-	1
1995	Number of victims	716	384	175	11	16	172
	(a) Husband - wife	60	27	16	-	-	12
	(b) Father - daughter	6	-	-	-	-	-
	(c) Son - mother	12	3	8	-	-	1
	(d) Son-in-law - mother-in-law	6	1	1	-	-	-
1996	Number of victims	633	456	172	11	6	153
	(a) Husband - wife	46	35	16	-	-	10
	(b) Father - daughter	4	2	1	-	-	3
	(c) Son - mother	30	3	6	-	-	4
	(d) Son-in-law - mother-in-law	2	1	-	-	-	-

Period	Relationship of perpetrator to victim	Murder	Attempted murder	Assault resulting in death	Murder during robbery	Rape and murder	Grievous bodily harm
First half of 1997	Number of victims	345	258	102	3	1	86
	(a) Husband - wife	34	14	10	-	-	5
	(b) Father - daughter	2	1	2	-	-	-
	(c) Son - mother	10	4	-	-	-	-
	(d) Son-in-law - mother-in-law	1	3	-	-	-	-

Statistical data on infant mortality and maternal mortality

per 1,000 births

Year	Infant mortality	Maternal mortality	Maternal mortality resulting from abortion	Maternal mortality resulting from obstetrical risk
1989	26,9	1,69	1,47	0,22
1990	26,9	0,84	0,58	0,26
1991	22,7	0,66	0,41	0,25
1992	23,3	0,60	0,38	0,22
1993	23,3	0,53	0,34	0,19
1994	23,9	0,60	0,38	0,22
1995	21,2	0,48	0,25	0,23
1996	22,3	0,41	0,22	0,18
1997	22,0	0,41	0,21	0,20

Life expectancy

Year	Total	Male	Female
1987-1989	69,42	66,51	72,41
1988-1990	69,58	66,56	72,65
1989-1991	69,76	66,59	73,05
1990-1992	69,78	66,56	73,17
1991-1993	69,52	66,06	73,17
1992-1994	69,48	65,70	73,36
1993-1995	69,40	65,70	73,36
1994-1996	69,05	65,30	73,09

Principal causes of death among women

Per 100,000 women

Year	Tumours	Circulatory system	Digestive system	Respiratory system	Accidents	Total
1989	118,60	650,48	42,03	85,74	37,11	9,95
1990	119,08	649,54	38,78	78,41	38,52	9,80
1991	120,38	676,59	38,69	71,76	37,23	9,98
1992	123,92	720,76	42,96	72,45	35,95	10,50
1993	129,22	717,78	46,46	62,39	35,51	10,43
1994	132,10	709,32	47,49	63,04	35,83	10,45
1995	134,02	733,98	49,95	57,01	36,58	10,65
1996	138,76	789,84	51,45	67,46	37,76	11,39
1997	142,27	757,10	53,68	58,27	35,61	11,00